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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,756	11/30/2000	Hideyo Makino	199892US2	1614
22850	7590	04/15/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			PHAM, HAI CHI	
			ART UNIT	PAPER NUMBER
			2861	
DATE MAILED: 04/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/725,756

Applicant(s)

MAKINO, HIDEYO

Examiner

Hai C Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2, 6, 8, 22, 26, 28 and 41-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2, 6, 8, 22, 26, 28 and 41-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

FINAL REJECTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 6, 8, 22, 26, 28 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima (JP 9-236763) in view of Yamaguchi (U.S. 6,133,566), Naoe et al. (U.S. 5,758,950) and Iwasa et al. (U.S. 6,144,685).

Nakajima discloses a multibeam scanning device having a plurality of semiconductor laser arrays (10, 11) with corresponding collimator lenses (12, 13), and an adjusting means rotating each of the semiconductor laser arrays around a midpoint (M) of a line connecting the centers of the light emitting points, and around the optical axis of the collimator lens (12) (see Figs. 2 and 4). Nakajima further discloses a plurality of corresponding holders (23, 24, 25, Fig. 3) for holding the semiconductor laser arrays and the collimator lenses, the holders include through-holes for accommodating the semiconductor lasers and interfitting rods (25a, 25b, Fig. 3) protruding from the means for holding for securing the respective collimator lenses such that an optical axis of the respective collimator lens coincides with a midpoint between the plurality of light emitting points of the respective semiconductor laser arrays (Figs. 2, 3).

However, Nakajima does not explicitly disclose the semiconductor array having a plurality of light-emitting points positioned at an equidistant pitch, and wherein the number of light emitting points being equal to 4.

However, it is well known in the printing art that higher number of light emitting points are commonly used to scan the surface of the photosensitive member as evidenced by Yamaguchi, which discloses a multiple beam scanning apparatus comprising a plurality of semiconductor laser arrays as light sources (2_1 - 2_M , Fig. 1), each including more than two light emitting points (five light emitting points as shown in Figs. 5-6) positioned in linear relationship to one another and having an equidistant pitch so as to respectively emit laser beams simultaneously scanned over a recording substrate (photosensitive drum 8). Yamaguchi further teaches the provision of respective collimator lenses (3_1 - 3_M) each of the optical axis of which is aligned with the midpoint the plurality of light emitting points of the respective semiconductor laser arrays (Fig. 17).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide a semiconductor array having more than two light-emitting points as taught by Yamaguchi in the device of Nakajima. The motivation for doing so would have been to provide a higher speed to the printing device where a plurality of scanning lines can be formed simultaneously.

Nakajima also fails to teach the flange protruding from an edge of the portion of the interfitting rod portion (25a, 25b) of the laser arrays/collimator lenses holders.

However, Naoe et al. discloses an image forming apparatus comprising a semiconductor laser (2), a collimator lens (4), and a holder (3) for holding the semiconductor laser and the collimator lens, the holder being provided with a through-hole (bore 3a) through which the semiconductor laser is inserted and secured, an interfitting rod portion (annular stepped portion 3h) protruding from the holder and a flange (lens support portion 3d) protruding from a portion of the interfitting rod portion for securing the collimator lens (Fig. 4).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to provide the collimator lens holder with the extended flange portion as taught by Naoe et al. in the device of Nakajima. The motivation for doing so would have been to allow the collimator lens to be securely fixed and aligned with the semiconductor laser.

Nakajima also does not expressly teach the claimed relationship:

$$\theta \leq \tan^{-1} \{1/(n-1)\}.$$

Regardless, Iwasa et al. discloses a multibeam recording apparatus in which the laser source array is arranged such that the laser beam spots on the surface of the recording medium are aligned (inclined line M', Fig. 7A) in the sub-scanning direction, and are inclined with respect to the main scanning direction (base line N') to form an angle θ' with the main scanning line. The disposition of the laser beam spots on the recording medium as well as the angle θ' are image of the corresponding structure of the laser source array, and result from a predetermined magnification. Table 2 (col. 11)

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shows the parameters of the multibeam recording apparatus in its basic configuration, where:

$$m = 30 \quad (m \text{ is the number of laser beam spots in the sub-scanning direction})$$

$$\theta = \theta' = 88.1^\circ$$

The angle formed by the line drawn perpendicular to the primary (main) scanning direction and the line drawn through respective centers of the first to the m-th laser beam spots becomes:

$$90^\circ - \theta' = 90^\circ - 88.1^\circ = 1.8^\circ$$

and the value of

$$\tan^{-1} \{1/(m-1)\} = \tan^{-1} \{1/(30-1)\} = 1.97^\circ$$

Therefore,

$$90^\circ - \theta' \leq \tan^{-1} \{1/(m-1)\}$$

which amply satisfies the claimed inequality.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the device of Nakajima with the aforementioned teachings of Iwasa et al. for the purpose of adjusting the pitch of the scanning lines.

Response to Arguments

3. Applicant's arguments with respect to claims 2, 6, 8, 22, 26, 28 and 41-44 have been considered but are moot in view of the new grounds of rejection presented in this Office action.

Conclusion

4. Applicant's amendment, which changed the scope of each of the base claims, necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HAI PHAM
PRIMARY EXAMINER

April 9, 2004